Reciprocal Enforcement
of Support: 1958 Dimensions

In this Article Professor Kelso makes a practical analysis of the 1958 amendments to the Uniform Reciprocal Enforcement of Support Act. He finds that the added portions clarify existing law, and that a new part IV makes more comprehensive the remedies available for the enforcement of support obligations through reciprocal state action.

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In 1950 the National Conference of Commissioners on Uniform State Laws devised reciprocal enforcement of support to protect destitute dependents from the vagaries of “runaway pappies.” It swept the nation almost as fast as Salk vaccine. As with the vaccine, however, experience has indicated need for revision in the original prescription and the Commissioners have now given us three shots.

The basic formula has proved sound and is recommended today as it was in 1950. Any person who believes he is owed a duty of support (called the obligee⁶) may file a complaint in a court of the state of his choice (called the initiating state). If the court finds that the alleged obligor owes a duty of support and that a court of another state (the responding state⁵) may obtain jurisdiction over the obligor or his property, the necessary supporting documents (complaint, certificate and the act) will be forwarded

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to that court. If the responding state court also finds a duty of support it may order the obligor to furnish support or reimbursement therefor and subject his property to the order. Extradition procedures are provided for the surrender of any person charged in the initiating state with the crime of failing to provide for the support of a person in that state.

In 1952 the act took on appendages designed to smooth administration and better insure protection to the obligee. New sections designated the officials who should represent the obligee in the responding state; denied any necessity for appointment of a guardian in suits on behalf of a minor; provided means to pay the obligee's costs and fees; gave the responding state power to arrest the obligor if there was reason to believe he might flee the jurisdiction; created an information agency to help locate the obligor and speed up proceedings; and imposed a duty on the courts of responding states to help the obligee obtain jurisdiction over the obligor. In addition, existing sections were tinkered with to permit the obligee to append information to the petition which might be of aid in locating the obligor, and public agencies were assured the right to be reimbursed via the act for support currently furnished the obligee.

1952 also saw a change in the interest of fairness to the obligor. Previously the act was susceptible of being interpreted to give the obligee an unqualified election as his or her interests dictated, whether the duties of support enforceable in reciprocal proceedings would be those imposed or imposable under the law of any state where the obligor was present during the period for which support was sought, or those of the state where the obligor was present when the failure to support commenced. The latter alternative was deleted and there was substituted in its place the rebuttable presumption that the obligor was present in the responding state for the period support is sought.

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16. "The plaintiff . . . may include or attach to the petition . . . any information which may help in locating or identifying the defendant . . ." Uniform Act § 10 (1952).
18. Duties of Support applicable under this law [act] are those imposed or imposable under the laws of any state where the obligor was present during the period for which support is sought. The obligor is presumed to have been
The 1958 amendments continue to fashion machinery pursuant to the policy of granting broad, inescapable protection to the obligee. It is made crystal clear that the act may be used to obtain a judgment for arrearages as well as for future support.\textsuperscript{10} A case may be forwarded to other counties of the responding state without refiling the action.\textsuperscript{20} Enforcement of support orders throughout the responding state is possible.\textsuperscript{21} And proceedings may be initiated under the act when the obligor and obligee are merely in different counties of the same state.\textsuperscript{22} Fees and costs are removed from the obligee and discretionary power is given the court in the responding state to impose them on the obligor.\textsuperscript{23} If the obligor appears in the responding state and submits evidence, no longer must the obligee bear the risk of dismissal on the theory that the complaint does not constitute evidence and no proceedings for obtaining evidence from the obligee are provided. Now the case is to be continued for further hearing and submission of evidence is made by reciprocal use of depositions and interrogatories for cross examination and rebuttal.\textsuperscript{24}

Finally, the 1958 amendments add a brand new part IV which creates a novel weapon for the obligee of a support order. The obligee may register the order in a court of any state which may obtain jurisdiction over the obligor or his property and upon entry of an order of confirmation the judgment has the same effect and may be enforced as if originally entered there.\textsuperscript{25} Since part IV is not only a new day in reciprocal support but may also presage registration of other kinds of judgments, its possible import will be discussed in some detail later in this article.

I

In the absence of proceedings under the Uniform Act, the traditional procedure for local enforcement of support orders entered by courts of sister states has aptly been described by Professor...
Ehrenzweig in his splendid new treatise as "intolerable." Many decisions do not permit equitable remedies to be used for the enforcement of sister state decrees and will not "establish" such decrees locally to be thereafter enforced as a local judgment. Thus to directly enforce a foreign support order an obligee may be limited to suits at law.

The full faith and credit clause at present compels no more. Indeed, its mandate has been limited to accrued installments not subject to modification. So long as the states which can obtain jurisdiction over the obligor or his property offer no more than the constitutional minimum there are dilemma horns: "On the one hand, the plaintiff must either somehow survive until enough arrearages to be worth the cost of a suit accrue, or he must bring suit after each periodic accrual."

The situation as to the enforcement of modifiable orders entered by sister states, (and most orders are modifiable) is even more bleak. Lacking constitutional compulsion to do otherwise, and apparently more concerned with certainty of relationships than with adequate intra-family arrangements, many courts have refused to enforce modifiable orders even by an action at law. Many decisions have not permitted modification when enforcement is sought. However, the recent case of Worthley v. Worthley seems destined to lead a trend establishing the propositions that

31. See, e.g., Cureton v. Cureton, 132 Ga. 745, 65 S.E. 65 (1909); LaPe v. Miller, 208 Ky. 742, 263 S.W. 22 (1924). See also Ehrenzweig, Conflict of Laws 268 (1959); Restatement, Conflict of Laws § 435 (1934); Annots., 157 A.L.R. 170 (1945); 41 A.L.R. 1419 (1926).
(1) foreign created alimony and support obligations are enforceable even if modifiable (retroactively as well as prospectively), and (2) "in an action to enforce a modifiable support obligation, either party may tender and litigate any plea for modification that could be presented to the courts of the state where the alimony or support decree was originally rendered."

In support of these propositions, Justice Traynor pointed out that they obviated the necessity for the obligee to initiate additional proceedings in the rendering state to reduce the claim for accrued installments to a money judgment, and offered some protection to the obligor who otherwise might have to travel to the rendering state to protect his interests. Further, proof of changed conditions is not more difficult than in custody cases where modification of sister state judgments has already been accepted. Finally, judicial certainty would be preserved since,

If the accrued installments are modified retroactively, the judgment for a liquidated sum entered after such modification will be final and thus will be entitled to full faith and credit in all other states. . . . If the installments are modified prospectively, the issues thus determined will be res judicata so long as the circumstances of the parties remain unchanged.

Justice Traynor found his position in accord with the Constitution, interpreting Griffin v. Griffin as approving the propositions that actions to enforce retroactively modifiable decrees should be tried in a forum that has personal jurisdiction over both parties, and that in the trial of such actions the defendant must be afforded an opportunity to set up any mitigating defenses that would be available to him if the suit were brought in the state where the alimony or support decree was originally entered.

34. An increasing number of courts claim power to modify retroactively, either directly by cancelling arrears or indirectly by refusing to enforce payments or by restraining the obligee from collecting arrears. See Annot., 6 A.L.R.2d 1278 (1949). A few cases have asserted power to enforce foreign support decrees which could be retroactively modified where entered. Blauvelt v. Blauvelt, 199 Ark. 710, 136 S.W.2d 201 (1940); Langerman v. Langerman, 303 N.Y. 465, 104 N.E.2d 857 (1952). However, the courts usually have denied enforcement to retroactively modifiable decrees. Cohen v. Cohen, 158 Fla. 302, 30 So. 2d 307 (1947); Coumans v. Albaugh, 36 N.J. Super. 808, 115 A.2d 641 (Juv. & Dom. Rel. Ct. 1955); Wilson v. Wilson, 143 Me. 113, 56 A.2d 453 (1947); Levine v. Levine, 35 Ore. 94, 95 Pac. 609 (1902). See also Annot., 157 A.L.R. 170, 181 passim (1945).

35. 44 Cal. 2d at 474, 283 P.2d at 25. A similar theory is evidenced in Lopez v. Avery, 66 So. 2d 689 (Fla. 1950), and Durfee v. Durfee, 293 Mass. 472, 200 N.E. 395 (1936), though the cases involved support of children and did not discuss the retroactive modification issue.

36. 44 Cal. 2d at 473, 283 P.2d at 24. Since California had personal jurisdiction over both parties this is in accord with Sutton v. Leib, 342 U.S. 402 (1951), and Treinies v. Sunshine Mining Co., 308 U.S. 66 (1939).

37. 327 U.S. 220 (1946).

38. 44 Cal. 2d at 471, 283 P.2d at 23.
In extension of *Worthley* and *Griffin*, Professor Ehrenzweig looks forward to constitutional development which will (1) require recognition and enforcement of all foreign support decrees, provided that as recognized they are no more final than where rendered, and ultimately (2) induce states to establish foreign decrees as local decrees entitled to all enforcement devices available for the enforcement of local decrees with modification permitted on change of circumstances.39

Yet even these developments in enforcement procedure would not protect the obligee who could not afford to bring suit at the obligor’s residence or in whatever other state jurisdiction could be obtained over his person or property. The Uniform Act has attempted to remedy this situation and thus legislatively achieve the purposes of the constitutional reform foreseen by Ehrenzweig.

II

The 1950 act, as well as its successors, immediately corrects the procedural gap which has prevented use of equitable remedies to enforce current support obligations. Once the responding state determines that a duty of support exists (whether or not a previous order of support exists) it is free to enter its own support order, either increasing or decreasing amounts previously determined, and enforce the order by such terms as it deems proper, including requiring cash deposit or bond, reporting to an administrative official, and holding the obligor in contempt of court.40

As to installments past due and unpaid under support orders rendered in a foreign state, the act has been less successful. It was reported to the National Commissioners at the August meeting in 1958 by its Committee on Reciprocal Enforcement of Support that experience has shown that many courts have interpreted the act to include only actions for current support. This has been true despite constant efforts of the Council of State Governments and the chairman of your committee to call attention to the broad definition in Section 2(f).41

Section 2(f) indicates that “duty of support” includes those imposed or imposable by law, or by any court order, decree or judgment, whether interlocutory or final, whether incidental to a proceeding for divorce, judicial separation, separate maintenance or otherwise.42

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42. Uniform Act § 2(f) (1958).
The theory of the Commissioners seems to be that since all duties of support are enforceable and those duties are defined broadly in section 2(f), arrearages are a type of duty of support which should be enforced by responding states. However, with deference to this view, it is submitted that the position of the recalcitrant courts has some foundation where the support order was not entered in the responding state and the obligor was not present there during the period for which arrearage is sought. This is so because section 7 of the act directs the responding state to enforce the duty of support imposed or imposable under the laws of any state where the obligor was present during the period for which support is sought. The act does not purport to change the substantive law of support of a state by incorporating into it whatever duties might arise under support orders entered by other states, and the traditional position has been that a duty of support imposed by the laws of one state "is of no special interest to other states...."44

In reply it could be argued that the act impliedly changes this policy and creates in the responding state, or in the state of presence (if it has the act) an interest in the obligations imposed by all support orders entered by sister states. Perhaps the Supreme Court of Florida had something like this in mind when it stated: "It appears to be the duty of support imposed by a divorce or separate maintenance decree (as distinguished from the amount of support so decreed) that is enforced by the responding state under the Act in question."45

If, in fact, the traditional position has thus been collaterally eroded, it should be sufficient clarification to amend section 9 by explicitly including arrearages as part of the duties of support enforceable under the act and to define "support order" to include modifiable orders. So the Commissioners have done in the 1958 amendments. However, section 7 still leaves a possible "out," but whatever the eventual authoritative resolution of this problem in the now conventional forwarding procedure (hereafter referred to as part II of the act—as it is in the 1958 version), the new registration procedures of part IV may provide another method of attacking the arrearage problem.

Under the provisions of the new part IV of the act46 an obligee

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43. Uniform Act § 9 (1958) states: "All duties of support, including arrearages, are enforceable by action irrespective of the relationship between the obligor and the obligee."

44. Restatement, Conflict of Laws § 458, comment a (1934).


46. Uniform Act pt. IV (1958), provides in part:

Section 33. [Additional Remedies.] If the duty of support is based on a
may register a foreign support order by filing in the registering state a verified petition setting forth the amount remaining unpaid and a list of any other states in which the order is registered and by attaching to the petition a certified copy of the support order, including any modifications.\textsuperscript{47} Jurisdiction over the obligor is then obtained as in civil cases, and the obligor may assert any defenses available to a defendant in an action on a foreign judgment.\textsuperscript{48} If the obligor defaults, an order confirming the registered support order is entered.\textsuperscript{49} If the obligor appears, a hearing is held and the court adjudicates the issues, including amounts remaining unpaid. Confirmation of the support order gives the order the same effect as if originally entered in the registering state, and it may be enforced by the registering state by the use of enforcement procedures as in civil cases, including the power to punish for contempt.\textsuperscript{50}

If the new part IV is enacted into law by the various states, its provisions will be of certain benefit to the obligee who obtains a divorce or a modification of a support order subsequent to passage of the new amendments. Where, at the time of divorce with in personam jurisdiction over the obligor, the obligor either resides in

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foreign support order, the obligee has the additional remedies provided in the following sections.

\textbf{SECTION 34. [Registration.]} The obligee may register the foreign support order in a court of this state in the manner, with the effect and for the purposes herein provided.

\textbf{SECTION 35. [Registry of Foreign Support Orders.]} The clerk of the court shall maintain a Registry of Foreign Support Orders in which he shall record [file] foreign support orders.

\textbf{SECTION 36. [Petition for Registration.]} The petition for registration shall be verified and shall set forth the amount remaining unpaid and a list of any other states in which the support order is registered and shall have attached to it a certified copy of the support order with all modifications thereof. The foreign support order is registered upon the filing of the [complaint] subject only to subsequent order of confirmation.

\textbf{SECTION 37. [Jurisdiction and Procedure.]} The procedure to obtain jurisdiction of the person or property of the obligor shall be as provided in civil cases. The obligor may assert any defenses available to a defendant in an action on a foreign judgment. If the obligor defaults, the court shall enter an order confirming the registered support order and determining the amounts remaining unpaid. If the obligor appears and a hearing is held, the court shall adjudicate the issues including the amounts remaining unpaid.

\textbf{SECTION 38. [Effect and Enforcement.]} The support order as confirmed shall have the same effect and may be enforced as if originally entered in the court of this state. The procedures for the enforcement thereof shall be as in civil cases, including the power to punish the [respondent] for contempt as in the case of other orders for payment of alimony, maintenance or support entered in this state.

\textbf{HANDBOOK at 251.}
\end{verbatim}
another state or has property located in another state, the obligee may have the order registered in such other state and such registration should become a routine step in divorce proceedings. This would give the obligee an immediate local judgment for support in any state in which the obligor resided or had property so that in the event of default she would be in an advantageous position to quickly bring the obligor before a court in such state. Such immediate registration should bar some of the confusion which might arise concerning arrearages since the local judgment in the registering state would begin at approximately the same time as the judgment in the state of divorce. Attorneys for obligees might even be successful in obtaining the fees and expenses incident to such registration as a part of the divorce and support judgment.

A similar practice should result with regard to modifications of a support order obtained by an obligee with in personam jurisdiction over the obligor. Immediate registration in other states of the judgment modifying the original order would protect the obligee from the date of modification.

It seems, therefore, that once states have enacted the provisions of part IV of the act, attorneys should add to their check-lists for divorce the registration and confirmation of support orders in any state in which the obligor resides or has property. Further, attorneys should advise their divorce clients that at any time the obligor changes residence the obligee should again consult with her attorney concerning registration in the obligor's new state of residence.

Several hurdles still remain in the path of the obligee hopeful of obtaining arrearages by registering a support order at some later time than the time of divorce or modification, having the order confirmed and thereby obtaining, in effect, a local judgment in the registering state. In the first place obligors may contend that a support order as confirmed has the same effect as if originally entered in the registering state on the date of its confirmation. Thus only arrearages after that date would be subject to equitable remedies of the registering state (unless the obligor obtained them via a separate part II proceeding). However, inasmuch as the general policy for aid in interpreting the act evidenced throughout the act is the protection of obligees, and part IV was designed to better that protection, the phrase "originally entered" should be interpreted as relating back to the date the order was entered in the state where it was originally rendered.

A second contention of obligors, where registration is sought in jurisdictions which presently do not enforce modifiable support

orders, is that since an obligor may assert "any defense available to a defendant in an action on a foreign judgment" and since in that state he could raise the objection of a lack of finality in a suit to enforce a modifiable foreign support order, the same defense should be available to him in suits to register the judgment.

The Commissioners have attempted to meet this argument in advance by stating in their prefatory notes to the act as amended in 1958 that

He (the obligor) cannot oppose registration on the ground that the support order is not a final judgment, because "support order" is defined (in Section 2) as "any judgment, decree or order of support whether temporary or final, whether subject to modification, revocation or remission regardless of the kind of action in which it is entered." 53

Unfortunately, however, for this position, the definition of the kind of support order which is capable of being registered cannot of its own force determine the kinds of defenses which may be raised when a registered support order is sought to be confirmed. To protect the obligee it is necessary once again to resort to policy.

Since the policy intended to be embodied in the registration procedure so clearly encompasses registration of support orders in all states, regardless of their previous views on enforceability, the defenses to which part IV refers must be those which relate to the validity of the judgment (such as lack of jurisdiction in the rendering state) or to its continued existence. Unless the section is so interpreted and the support order, when confirmed, considered to have been a local judgment as of the date it was initially rendered, use of the registration procedures to obtain accumulated arrearages may remain for the most part a dead letter since in most cases more adequate relief could be achieved by initiating an action under part II for a new support order to be entered by the responding state. Incidentally, it is somewhat inconsistent that in proceedings under part II the obligee is given affirmative assistance and relieved of costs whereas these protections are not expressly granted to part IV proceedings. There seems little reason for this distinction.

III

If registration procedure becomes a frequently used remedy, the question will surely arise whether modification can be achieved during registration and confirmation proceedings; and if so, what type of modification will be permitted?

First let it be assumed that both the rendering state and the registering state would permit only prospective modification of

their local support orders. It is clear enough that the Constitution would not bar the registering state from modifying the decree and enforcing it as modified since "The State of the forum has at least as much leeway to disregard the judgment, to qualify it, or to depart from it as does the State where it was rendered." 54

It is also clear that after the support order is confirmed proceedings to modify the order as confirmed could be instituted in the registering state since registration is not the same thing as enforcement, and merely puts the judgment in a position to be enforced.

Of course it would be cheaper and easier, and thus more in accord with the policy of the act, if modification could become an issue along with registration and the whole matter disposed of in one hearing.

One difficulty is that the act calls for the petition for registration to recite only the support order and the amount remaining unpaid. The issues appear to be framed by those allegations plus any defenses which the obligor could raise as a defendant in an action on a foreign judgment. There is little here which on its face points to modification unless the doctrine of the Florida court that what is enforced is the duty and not the amount is imported from part II to part IV. But this seems too far to jump since the theory of part IV is that it is the judgment itself which will be enforced in the registering state.

Yet there is another side to it. If the registering state adopts the view of Worthley that in an action to enforce a foreign judgment the parties may develop the modification issue, modification downward would be a type of defense available to the defendant in an action on a modifiable support judgment—a defense which Worthley assumes is constitutionally indicated. As to modifications upward, since in order to permit registration the registering state will have jurisdiction over the obligor or his property, there is no constitutional objection to permitting the obligee to join with the petition for registration a petition for modification upward. The court could then consolidate the two matters, hear evidence pertaining both to defenses on the judgment and to modification, confirm the judgment, including amounts unpaid, then modify the judgment and order the obligor to comply with the judgment as modified. This would carry forward the purposes of the act and is well within the procedural flexibility of equity.

If the registering state permits modification, either in consolidated proceedings or in later proceedings, the question will arise whether modification would operate prospectively only, based on

change in circumstances at the time of or after the date of confirmation or whether retroactive modification, relating back to the date the order was originally entered in the rendering state, would be permitted. The act does not expressly resolve this question. However, if the confirmed order is treated as if it were a local judgment from the date of its initial rendering to enable the obligee to obtain equitable enforcement under part IV for arrearages accrued prior to the confirmation, it would seem that the registering state should also permit retroactive modification. This too would be in line with the policy of the act and the practice of modification which has prevailed under part II since registration is not the same thing as enforcement but merely puts the judgment in a position to be enforced.

If a support order sought to be registered could be modified only prospectively, or not at all, in the rendering state, that would not appear to bar the registering state from modifying the order after confirmation (assuming in personam or in rem jurisdiction) since the order when confirmed becomes in effect a local judgment. This would be the net result obtainable under part II if the obligee chose that procedure instead of registration, and no reason appears why it should not obtain under part IV.

Finally, if the rendering state would permit modifications not possible for similar judgments entered by the state where registration is sought, it should be noted that nothing in part IV explicitly compels the registering state to permit modifications upwards on request of the obligee. Of course obligors can be expected to contend as one of the defenses to confirmation for the amount stated in the support order that they should be able to show whatever changes in circumstances would have induced the rendering state to modify the judgment, either prospectively or retroactively. If not, they will argue the judgment may be given more faith and credit than where rendered. To avoid the expense attendant on forcing the obligor to file a new action for modification of the confirmed order, surely the courts will either permit this issue to be litigated as a defense or permit a consolidation with the petition for registration and handle both issues at one hearing. And, if it is to be possible for the obligor to obtain modification downward in registration proceedings, it should be equally possible for the obligee to obtain modification upwards, thus sparing the obligee a further action or the need to use part II rather than part IV. Indeed, Worthley v. Worthley indicates there may well be a constitutional necessity for this procedure.

IV

In sum, part IV appears to require enforcement of modifiable
support orders and looks forward to modification of support orders by registering states, regardless of what prior practice may have been. Thus it could achieve the reforms recommended by Professor Ehrenzweig.

In addition, part IV contains a hidden reform which may also be worthy of note. If the obligee proceeds under part II of the act there may be a series of fights in various states over the amount of support since an order entered by a responding state is not binding on the parties in an action in another state nor does it supersede a prior order entered by another state. This result flows from section 30 55 which provides:

No order of support issued by a court of this state when acting as a responding state shall supersede any other order of support but the amounts for a particular period paid pursuant to either order shall be credited against amounts accruing or accrued for the same period under both.

Since a “respondent” state is one which acts pursuant to proceedings begun in an initiating state and an “initiating state” is a state in which proceedings pursuant to the act are begun, it would appear that when a state acts as registering state it is not acting as responding state and therefore this limitation on the res judicata effect of its judgments would not apply. Accordingly, it would seem that when a foreign support order is confirmed, there being jurisdiction over both parties, the confirmed order, or the order as modified in confirmation proceedings, should be held res judicata (subject to changed circumstances), as set out in Worthley v. Worthley under the substantially similar California “establishment” practice. This should help to stabilize the support picture.

It must be admitted, however, that full and effective use of the registration provisions of part IV may be marred by various interpretations regarding its effect upon arrearages, modifications, and res judicata. And since part IV does not give the obligee the help of state agencies in locating and bringing the obligor before the court, nor does it make allowance for fees and expenses incurred by the obligee, dependents may still prefer procedures under section II of the act.

Before the subject is dropped, a brief look at another side of the coin might be in order. Heretofore the draftsmen of the act, and this Article, have tended to emphasize the plight of the dependent. But what of the provider who is attempting in good faith to provide for distant dependents and who is deserving a modifica-

55. Ehrenzweig points out that “The draftsmen of this provision cannot have intended this absurd result. It seems likely that they had in mind only a decree increasing a prior award, and failed to consider attempts at collecting under a prior order reduced in another state.” Ehrenzweig, Conflict of Laws 272 (1959).
tion downward in his support obligations because of financial exigencies or other circumstances?

Of course he may initiate proceedings in the rendering state if that state retains jurisdiction to modify and jurisdiction over the dependents can be attained; or if they reside elsewhere he can initiate proceedings at their residence in the unlikely chance that state will modify foreign support decrees. However, if initiating suit in foreign forums is sufficiently difficult as to justify reciprocal legislation for dependents, it is just as difficult for needy providers who ultimately will have to pay attorney's fees in addition to support, and perhaps some thought should be given to permitting obligors to apply for modification via reciprocal procedure. In the meantime, however, if the obligor becomes financially embarrassed, his only choice is to cut off support thus forcing his dependents to take the initiative under the act. However, in so doing, he runs the risk they will not act promptly, arrearages will pile up, and retroactive modification may not be granted. Further, if and when dependents do bring proceedings under part II and he has the opportunity of asking for an order less in amount than the existing support order, he has placed himself in an unfavorable position on the facts. Finally, if the dependent elects to use part IV and register the judgment, the obligor may find that the court will not consider modifications on registration proceedings, or the court will consider modification only on change of circumstances from the date of confirming the decree.

Furthermore, if the obligor does succeed in obtaining a reduction in the modification order under part II proceedings, this does not offer him protection in the courts of any other state since the judgment does not supersede the prior support order. This result probably would not occur under part IV, as previously considered, but the act does not spell out any way for the obligor to force the obligee into part IV proceedings rather than part II.

Thus it seems that consideration should be given to enabling providers in the above situation to secure downward modification of support orders via the reciprocal route; that modification downward as well as upward should be permitted via registration procedures if possible under the law either of the rendering state or the registering state; and that modifications litigated under either part II or part IV should supersede prior support orders and be res judicata unless circumstances again change.

The latest discussion of Salk vaccine indicates that a fourth shot may be desirable, and at the next huddle on reciprocal support the drafters should consider adding these ingredients to the fourth shot of reciprocal support.